

***A REGULAR MEETING OF THE FAUQUIER COUNTY BOARD OF SUPERVISORS WAS HELD MAY 4, 1999 AT 9:30 A.M. IN WARRENTON, VIRGINIA***

P R E S E N T Mr. Larry L. Weeks, Chairman; Mr. Joe Winkelmann, Vice Chairman; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum; Mr. G. Robert Lee, County Administrator; Mr. Paul S. McCulla, County Attorney

**ADOPTION OF THE AGENDA**

Mr. Mangum moved to adopt the Agenda subject to removing from the Consent Agenda for consideration at the May 18, 1999 meeting, A Resolution to Authorize an Adjourned Meeting of the Fauquier County Board of Supervisors for June 21, 1999 at 7:00 p.m. in the Auditorium at Warrenton Middle School for a Public Information Meeting, removing from the Consent Agenda to the Regular Agenda A Resolution to Approve Amendment Number Five to the Airport Lease and Operating Agreement, and adding to the Consent Agenda A Proclamation to Honor Law Enforcement Officers in Fauquier County. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

**CONSENT AGENDA**

Mr. Winkelmann moved to adopt the following Consent Agenda items. Mr. Burton seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

Approval of the Minutes of the Board of Supervisors January 26, 1999 Adjourned Meeting and the February 2, 1999 and February 16, 1999 Regular Meetings

A Resolution to Authorize the County Administrator to Sign a Contract for Radio Communications Consulting Services for an 800 MHz Public Safety Radio System with CTA Communications

**RESOLUTION**

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN A CONTRACT FOR RADIO COMMUNICATIONS CONSULTING SERVICES FOR AN 800MHZ PUBLIC SAFETY RADIO SYSTEM WITH CTA COMMUNICATIONS IN THE AMOUNT OF \$279,000

WHEREAS, the Fauquier County Board of Supervisors approved an appropriation of \$400,000 per year for FY 2000 through FY 2009 for the Public Safety Radio System on the 1<sup>st</sup> day of September, 1998; and

WHEREAS, the Fauquier County Board of Supervisors held a Public Information Session on the Public Safety Radio System on March 23, 1999; and

WHEREAS, a team made up of representatives from the Radio Study Committee, the Sheriff's Department, the Fire & Rescue Association, and a citizen technical expert, under the direction of the County Project Officer, evaluated the proposals of six respondents to the RFP and selected CTA Communications (A Subsidiary of Hayes, Seay, Mattern & Mattern) as the consultant of choice; and

WHEREAS, the Purchasing Officer has completed negotiations with CTA Communications and the County Attorney has reviewed the contract and has approved the language contained therein; and

WHEREAS, the County Procurement Policy specifies that no contract for a Capital Improvement Project that exceeds \$100,000 shall be awarded without the concurrence of the Fauquier County Board of Supervisors or School Board as applicable; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 4<sup>th</sup> day of May 1999, That the Board of Supervisors does hereby authorize the County Administrator to sign a contract for Radio Communications Consulting Services with CTA Communications in the amount of \$279,900.

A Resolution to Request the Virginia Department of Transportation to Install a Three-Way Stop at the Intersection of Mosby Drive and Chestnut Court in the Chestnut Turn Subdivision

## RESOLUTION

### RESOLUTION TO REQUEST THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION INSTALL A THREE-WAY STOP AT THE INTERSECTION OF MOSBY DRIVE AND CHESTNUT COURT IN THE CHESTNUT TURN SUBDIVISION

WHEREAS, the Virginia Department of Transportation (VDOT) received a request from the citizens of the Chestnut Turn Community to add an additional Stop Sign on Mosby Drive; and

WHEREAS, the request is beyond what VDOT routinely allows, VDOT requests

input from the County Board of Supervisors; and

WHEREAS, the County Administrator received a letter dated 4 March 1999 from the Resident Engineer of the Virginia Department of Transportation (VDOT) requesting that the Board of Supervisors forward a resolution of their findings; and

WHEREAS, Supervisor Winkelmann met with members of the Chestnut Turn community on April 21, 1999 to discuss options related to this issue; now, therefore, be it

RESOLVED, by the Fauquier County Board of Supervisors this 4<sup>th</sup> day of May, 1999, that the Board does hereby authorize the County's request for installation of a three-way stop at the intersection of Chestnut Court and Mosby Drive; and, be it

RESOLVED FURTHER, That the installation of the three-way stop be deemed temporary for one year with the evaluation of its effectiveness by both VDOT and the homeowners to occur at six-month intervals.

A Resolution to Authorize the Chairman of the Board of Supervisors to Sign a Letter to the Honorable Shirley J. Ybarra, Secretary of Transportation for the Commonwealth of Virginia, to Request Modifications to the Model of the Route 50 Traffic Calming Task Force

#### RESOLUTION

A RESOLUTION TO AUTHORIZE THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN A LETTER TO THE HONORABLE SHIRLEY J. YBARRA, SECRETARY OF TRANSPORTATION FOR THE COMMONWEALTH OF VIRGINIA, TO REQUEST MODIFICATIONS TO THE MODEL OF THE ROUTE 50 TRAFFIC CALMING TASK FORCE

WHEREAS, the Board of Supervisors of Fauquier and Loudoun Counties have received a request from the Town of Middleburg to join with the Town in requesting that the Secretary of Transportation consider certain modifications to the Route 50 Traffic Calming Project model; and

WHEREAS, the suggested modifications include: 1) the establishment of co-chairs for the Task Force; 2) that the Task Force determine the number, nature and composition of the working groups necessary; 3) that the working group chairs be assigned by the Task Force; 4) that VDOT assume an administrative and technical role in the process; and 5) that the commuter representative residing outside the area, be a non-voting member; and

WHEREAS, the Loudoun County Board of Supervisors authorized its Chairman on April 21, 1999 to sign a letter to Secretary Ybarra that outlines Loudoun County's support for the aforementioned modifications; and

WHEREAS, the proposed modifications have been endorsed by the Town of Middleburg, Loudoun County and members of the Route 50 Corridor Coalition; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 4<sup>th</sup> day of May 1999, That the Fauquier County Board of Supervisors does hereby authorize the Chairman of the Board of Supervisors to sign a letter to the Honorable Shirley J. Ybarra, Secretary of Transportation for the Commonwealth of Virginia, requesting that consideration be given to modifications to the model of the Route 50 Traffic Calming Task Force.

### Submission of Chesapeake Bay Partnership Communities Application

Permission was granted to submit the application for Fauquier County to the Center for Chesapeake Communities, a voluntary recognition program.

### A Proclamation to Honor Law Enforcement Officers in Fauquier County

#### PROCLAMATION

#### A PROCLAMATION TO HONOR LAW ENFORCEMENT

#### OFFICERS IN FAUQUIER COUNTY

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which it falls as Police Week; and

WHEREAS, members of the law enforcement agencies of Fauquier County play an essential role in safeguarding the rights and freedoms of Fauquier County; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of our law enforcement agencies, and that members of our law enforcement agencies recognize their duty to serve the people by safeguarding life and property, by protecting them against violence or disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the sheriff and police departments of Fauquier County have grown to be modern and scientific law enforcement agencies that unceasingly provide a vital public

service; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 4th day of May 1999, That the Board of Supervisors does hereby call upon all citizens of Fauquier County and upon all patriotic, civic and educational organizations to observe the week of May 9-15, 1999, as Police Week with appropriate ceremonies in which all of our people may join in commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities and, in doing so, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens; and, be it

PROCLAIMED FURTHER, That all citizens of Fauquier County be called upon to observe Saturday, May 15, as Police Officers Memorial Day in honor of those peace officers who, through their courageous deeds, have lost their lives or have become disabled during performance of duty.

#### A PROCLAMATION TO DECLARE MAY 1999 AS MENTAL HEALTH MONTH IN FAUQUIER COUNTY

Mr. Mangum moved to adopt the following proclamation. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

#### PROCLAMATION

#### A PROCLAMATION TO DECLARE MAY 1999 AS MENTAL HEALTH MONTH IN FAUQUIER COUNTY

WHEREAS, mental health is critical for the well-being and vitality of our families,

businesses, and communities; and

WHEREAS, mental illness will strike one in four Americans in a given year without regard to age, gender, race, ethnicity, religion or economic status; and

WHEREAS, one in five children suffer from a diagnosable mental, emotional or behavioral disorder and one in ten have a serious disorder which, if left untreated, can lead to school failure, substance abuse and even suicide; and

WHEREAS, all mental disorders collectively make mental illness the most prevalent health problem in America today—more common than cancer, and lung and heart disease combined; and

WHEREAS, mental illnesses are treatable and a majority of people who seek professional help are successfully treated; and

WHEREAS, most health insurance plans impose discriminatory restrictions and limits on mental health care and as a result many Americans spend thousands of dollars for out-of-pocket health care expenses or go without treatment; and

WHEREAS, treatment efficacy for mental disorders is favorable when compared to treatment for common physical ailments; and

WHEREAS, parity in insurance coverage between mental and physical health care will only add minimal costs to insurance premiums and may lead to decreases in total health care costs; and

WHEREAS, the National Mental Health Association and its partners celebrate National Mental Health Month each year in May to raise awareness of mental health, mental illnesses and insurance discrimination against people with mental illnesses; now, therefore, be it

PROCLAIMED by the Fauquier County Board of Supervisors this 4<sup>th</sup> day of May, 1999, That May 1999 be, and is hereby, declared Mental Health Month in Fauquier County, Virginia to increase understanding of mental illnesses and the need for appropriate and equitable services for all people with mental illnesses.

Mr. Weeks presented Mary Schlegal, President of the Mental Health Association, with a copy of the proclamation.

**REZONING REQUEST – HUNTER’S HEAD, L.C.**

A public hearing was held at the February 16, 1999, meeting to consider a request from Hunter’s Head, L.C., Owners, to rezone 0.8018 acre of a 2.40 acre parcel from Village Residential (V) to Village Commercial (VC) to operate an eating establishment and a retail sales (food) business. The property is located on the north side of John Mosby Highway (Route 50) in the Village of Upperville, PIN #6054-95-8361-000, Marshall District. Mr. Green moved to table the decision until the May 18, 1999, meeting. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

**A RESOLUTION TO APPROVE AMENDMENT NUMBER FIVE TO THE AIRPORT LEASE AND OPERATING AGREEMENT**

Mr. Mangum moved to adopt the following resolution. Mr. Burton seconded, and the vote for the motion was 4 to 1 as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: Mr. Joe Winkelmann***

***Absent During Vote: None***

***Abstention: None***

**RESOLUTION**

A RESOLUTION TO APPROVE AMENDMENT NUMBER FIVE TO THE AIRPORT LEASE  
AND OPERATING AGREEMENT

WHEREAS, the County of Fauquier and Tracey Corporation entered into a Lease and Operating Agreement dated January 1, 1992, for the management and operation of the Warrenton-Fauquier Airport; and

WHEREAS, Article VII of the said Lease and Operating Agreement sets forth specific insurance requirements which Tracey Corporation is required to meet or exceed during the term of the Lease Agreement; and

WHEREAS, Tracey Corporation has requested that the insurance requirements as contained in the Lease Agreement be amended; and

WHEREAS, the Fauquier County Airport Committee has considered Tracey Corporation's request for an amendment of the insurance requirements and does hereby recommend approval; and

WHEREAS, based on the request of Tracey Corporation and the recommendation of the Fauquier County Airport Corporation, a proposed Amendment Number Five to the Airport Lease and Operating Agreement has been prepared which amends the insurance requirements; now, therefore, be it

RESOLVED by the Fauquier County Board of Supervisors this 4<sup>th</sup> day of May 1999, That Amendment Number Five to the Airport Lease and Operating Agreement be, and is hereby, approved; and, be it

RESOLVED FURTHER, That the County Administrator be, and is hereby, authorized to sign the agreement on behalf of the County of Fauquier.

## APPOINTMENTS

By unanimous consent, Winchell Chung was appointed to fill an unexpired term to December 31, 1999 on the Fauquier Community Action Committee.



By unanimous consent, Jim Legg was appointed to fill an unexpired term to December 31, 1999, on the Capital Improvements Program Committee.

By unanimous consent, Randy Wheeler was reappointed to a four-year term to June, 2003 on the Social Services Board.

By unanimous consent, Kathie Wilson was appointed to fill a four-year term to June 21, 2003 on the Library Board.

By unanimous consent, Pat Paddgett was reappointed to a four-year term to June 30, 2003 on the Water and Sanitation Authority.

## SUPERVISORS TIME

- Mr. Burton asked that Mr. Lee check with the Virginia Department of Transportation on the status of a request to install flashing signs along roads to indicate farm equipment.
- Mr. Mangum requested that the Board hold a work session to discuss purchase of property next to the proposed Virginia Power plant.
- Mr. Winkelmann asked that the Board of Supervisors support a stop sign to slow traffic along Blantyre Road. Mr. Weeks said that he would work with Mr. Winkelmann on this project.

## EXECUTIVE SESSION

Mr. Burton moved to go into executive session pursuant to Virginia Code Section 2.1-344 (A)(7) to discuss legal matters requiring the legal advice of council. Mr. Winkelmann seconded, and the vote for the motion was unanimous as follows:

***Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum***

***Nays: None***

***Absent During Vote: None***

***Abstention: None***

Upon reconvening from executive session, Mr. Burton moved to adopt the following certification. Mr. Winkelmann seconded.

#### CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Fauquier County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provision of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law; now, therefore, be it

RESOLVED this 4<sup>th</sup> day of May 1999, That the Fauquier County Board of Supervisors certifies that, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Fauquier County Board of Supervisors.

#### VOTE:

Ayes: Mr. Larry L. Weeks; Mr. Joe Winkelmann; Mr. Wilbur W. Burton; Mr. James R. Green, Jr.; Mr. David C. Mangum

Nays: None

Absent During Vote: None

Absent During Meeting: None

With no further business, the meeting was adjourned.